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Attorneys for Plaintiff Kytch, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

KYTCH, INC.,

Plaintiff,

v.

MCDONALD'S CORPORATION,

Defendant.

No. 23-cv-01998-TSH

Judge: Honorable Thomas S. Hixson

**JOINT STATUS REPORT
FOR JULY 22, 2024**

Plaintiff Kytch, Inc. and Defendant McDonald Corporation respectfully submit the following status report:

A. Joint Status Update:

Settlement discussions between the parties remain ongoing.

B. Defendant's Position:

McDonald's submits that the parties continue to negotiate in good faith and are making substantial progress with finalizing the agreement; however, the parties require additional time to finalize and execute the agreement due to the complexity of the agreement, the principals' schedules and the number of stakeholders involved in documenting the agreement for this action and the pending action of *Kytch v. Jonathan Tyler Gamble, et al.*, Case No. RG21099155 (Alameda Superior Court) ("Alameda Action"). The settlement agreement encompasses both this action as well as the Alameda Action. McDonald's submits that there is no reason to engage in trying to propose or finalize a case schedule in this matter considering the status of the parties' negotiations, and that engaging in such efforts would be a waste of the parties' and the Court's resources and time. McDonald's has not conferred with Plaintiff on any of the dates they propose and as discussed above, a conferral on the case schedule would not be necessary or productive particularly as the parties' time should be focused on finishing the settlement agreement. McDonald's proposes the parties provide the Court a further status update in 30 days.

C. Plaintiff's Position:

Although settlement discussions remain ongoing, Kytch requests that the Court tentatively calendar the following deadlines for this case.

EVENT	PROPOSED DATE ¹
Deadline to Seek Leave to Amend Pleadings	September 13, 2024
Close of Fact Discovery	March 7, 2025
Rule 26 Expert Disclosures	March 28, 2025
Rule 26 Rebuttal Expert Disclosures	April 18, 2025
Close of Expert Discovery	June 13, 2025
Deadline to File Dispositive Motions	July 1, 2025
Deadline to File Dispositive Motion Opposition	July 25, 2025

¹ Kytch will confer with McDonald's regarding the schedule.

1	Deadline to File Dispositive Motion Reply	August 15, 2025
2	Hearing on Dispositive Motions	September 10, 2025
3	Exchange of Pretrial Disclosures	October 15, 2025
4	Deadline to File Pretrial Documents	October 24, 2025
5	Deadline to File Oppositions to Motions in Limine	November 14, 2025
6	Pretrial Conference	December 1, 2025
7	Final Pretrial Conference	January 5, 2026

8 The parties will notify the Court immediately if their attempts to resolve this matter are
9 successful.

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Dated: July 22, 2024

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: Catherine Y. Lui
CATHERINE Y. LUI
Attorneys for Defendant
McDonald’s Corporation

Dated: July 22, 2024

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